

I want to thank Representative Price and the entire education committee for taking testimony on these bills.
RESTRAINT AND SECLUSION IN OUR PUBLIC SCHOOLS

My name is Jerry O'Hearn. I am a licensed professional counselor in Traverse City. I provide mental health services to children ages 5-17. Over the years and currently, many of my clients have attended New Campus School. This is the intermediate school district's "alternative" school that serves a five county area. Children who struggle with behavior issues in conventional public schools are sent there. Most of the children in this school have some form of a disability whether it be a mental health diagnosis like ADHD, ODD, PTSD or conduct disorder, or a developmental delay, learning disability or emotional impairment. New Campus utilizes restraint and seclusion as part of their standard methods of discipline. The seclusion comes when students are sent to a TIMEOUT, in a bare room with a locked or guarded door, separate from the classroom, for a period of time. The restraint is most often used when a student refuses to go to seclusion. In seclusion there is nothing to sit on except the floor. Students are given their work, usually a pencil and some papers, only when deemed "safe". Most of the time they are given nothing to do. If they do not complete the allotted time successfully more time is added. I have had one client go for over 2 weeks straight in seclusion because he was not successful. "Successful" means not making any trouble like yelling, swearing, pounding the door or walls. This 2-week stretch happened because his original 2-day sentence was not successful and he had to start the 2 days over again. And again. Etc.

Another incident happened to a client who thought he had completed his timeout the previous day but was told before entering school that morning he had to continue his timeout. He resisted and had to be carried out of his grandmother's car, by 3 adults grabbing his arms and legs, carrying him literally kicking and screaming into the school. The official write up of the incident indicated that he was "escorted" into the building.

Besides being inhumane and cruel and unusual punishment, restraint and seclusion does not work. It does not improve behavior. As a therapist working to help children with behavior problems, under our local CMH, I am required to utilize evidence based practices (EBPs). There is no evidence to support restraint and seclusion as an effective method to improve children's behaviors. If it worked, then New Campus School would not have to use it daily because eventually everyone would be in compliance.

I believe restraint and seclusion invites and perpetuates aggressive and violent behavior in children. As long as restraint and seclusion is part of the discipline process, all other discipline measures funnel toward this. By this I mean restraint and seclusion doesn't occur randomly, it permeates an atmosphere which is adversarial and confrontational making it difficult to have full trust between staff members and students. There is bound to be an element of fear. The threat is always there. This is not conducive to true learning.

Another negative affect of using restraint and seclusion is that it feeds kids into the juvenile justice system. At New Campus once the restraint battle begins, students have been charged with assault or malicious destruction of property. Law enforcement officers are called to the school on a regular basis. Once the child is in the legal system, poor school behavior can result in a probation violation and he/she can be sent to a detention facility. It's a vicious cycle that continually reinforces the child's worst fears about him/herself and can lead to feelings of uselessness, hopelessness, and suicidal ideation. In no way is my intention to disparage the staff of New Campus. They are a dedicated group that truly cares about the well-being of their students. But they are stuck in an archaic system of discipline that simply does more harm than good.

Someday the use of restraint and seclusion will be a remnant of our educational past. With your support for this group of bills that day will be soon. Thank you for letting me testify for this worthy cause. I'd be happy to answer any questions.